

**ZONING COMMITTEE
MINUTES
WEDNESDAY, SEPTEMBER 12, 2012**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 12, 2012** in Committee Room #2, at 9:36 a.m.

The following members were present:

**The Honorable Alex Wan, Chair
The Honorable Howard Shook
The Honorable Ivory Lee Young, Jr.
The Honorable Aaron Watson
The Honorable H. Lamar Willis
The Honorable Keisha Lance Bottoms, Vice Chair**

The following member was absent:

The Honorable Carla Smith

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator; Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Haymore, Law Department and members of the public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. ORDINANCE FOR SECOND READING**

**12-O-1157 (1)
U-70-30/
TR-12-01** An Ordinance by Zoning Committee to amend Ordinance U-70-30, as adopted by the City Council on November 3, 1997 and returned without signature by the Mayor per Section 2-405 of the 1996 Charter for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **175 Racine Street, SW**; and for other purposes.

Councilmember Shook made a motion to approve. The vote was unanimous.

FAVORABLE

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D. ORDINANCE FOR FIRST READING

12-O-1262 (1)
Z-12-32 An Ordinance by Zoning Committee to rezone from the RG-3-C (Residential General-Sector 3-Conditional) to the RG-3 (Residential General-Sector 3) District, property located at **2760 Lenox Road, NE**, fronting approximately 165 feet on the southwest side of Lenox Road, beginning approximately 1,000 feet from the southwest corner of Canterbury Road.
Depth: Approximately 188.47 Feet
Area: Approximately 0.710 Acre
Land Lot: 7, 17th District, Fulton County, Georgia
Owner: Marlene Blaise
Applicant: Winston R. Smith (Multifamily Services & Solutions, LLC)

NPU-B

Council District 7

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

E. PAPERS HELD IN COMMITTEE

10-O-0013 (1)
Z-07-113 An Ordinance by Councilmember Aaron Watson as **substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

Depth: Approximately 1,010 Feet
Area: Approximately 10.32 Acres
Land Lot: 42, 14th District, Fulton County, Georgia
Owner: JWGST LLC/Joseph Wiles
Applicant: Jason Fritz

NPU-Y

Council District 1

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

11-O-0533 (2)
Z-11-12 An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted (#2) by Zoning Committee** to amend Section 16-32B of the 1982 Zoning Ordinance of the City of Atlanta by amending the existing NC-2 East Atlanta Village Business Neighborhood Commercial District; and for other purposes. **(Substituted and held 6/13/12)**

HELD

11-O-0692 (3)
U-11-16 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

HELD

11-O-0693 (4)
U-11-17 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **641 (C 665) North Avenue, NE (Perlman Tract) (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

11-O-0857 (5)
U-11-18 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc., (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **690 Morgan Street, NE, (a.k.a. 0 North Avenue** Tax Parcel Identification 14-0018-0001-026-5), (**Donor Parcel**). (**Referred back by Full Council 7/18/11**) (**Held 7/27/11**)

HELD

11-O-0824 (6) An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. (**Held 6/15/11**) (**Public Hearing held 5/2/12**)

HELD

11-O-1067 (7)
Z-11-19 An **Amended** Ordinance by Zoning Committee to rezone property known as **690 Lindbergh Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road**, from the SPI-15 Subarea 8 (Special Public Interest Lindbergh Transit Station Area, Subarea 8, Lindberg Residential) to the SPI-15 Subarea 3 (Special Public Interest Lindbergh Transit Station Area Subarea 3 Piedmont Commercial) Zoning District; fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 1,200 feet on the south side of Morosgo Drive, and approximately 800 feet on the west side of Adina Drive north, and 60 feet on the east side of Piedmont Road. (**Amended and held 8/20/12**)

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E. PAPERS HELD IN COMMITTEE (CONT'D)

Area: Approximately 21.87 Acres
Land Lot: 48, 17th District, Fulton County, Georgia
Owner: Buckhead at Lindbergh, LLC, Buckhead
South, LLC, and San Lucia Land, LLC

NPU-B Council District 7

**Councilmember Wan made a motion to forward with
no recommendation.**

**FORWARDED WITH NO RECOMMENDATION AS
AMENDED**

E. PAPERS HELD IN COMMITTEE (CONT'D)

12-O-0386 (8)
Z-12-06

An **Amended** Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **3492 Roxboro Road, NE**, fronting approximately 303 feet on the north side of Roxboro Road beginning 145 feet from the southwest corner of Kingsboro Road. **(Amended and held 8/29/12)**

Depth: Approximately 313 Feet
Area: 1.13 Acres
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: John Agan
Applicant: Rex K. Bray

NPU-B Council District 7

Councilmember Shook made a motion to approve. The vote was unanimous.

FAVORABLE AS AMENDED

LINK TO ZRB PENDING LEGISLATION

<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

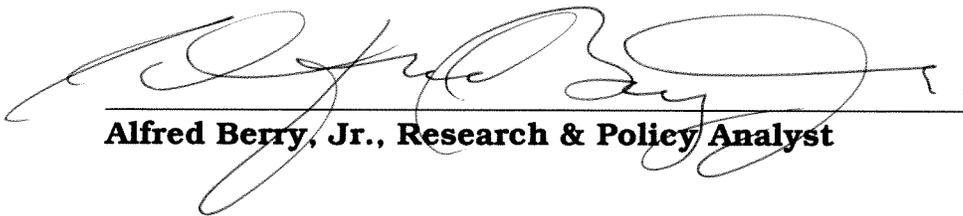
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There being no further business to come before the Zoning Committee the meeting was adjourned at 9:49 a.m.

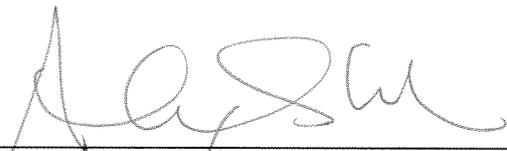
Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Alex Wan, Chair